

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re

TERENCE and SHEILA BRIGGS,

No. 11-10821

Debtor(s).

## RICHARD LAGUENS, Trustee

**Plaintiff(s),**

V.

A.P. No. 11-1154

TERENCE BRIGGS,

**Defendant(s).**

## Memorandum on Motion for Reconsideration

The court is not persuaded by the state cases and unreported cases cited by plaintiff. A trust can appear in federal court only by a lawyer. 28 U.S.C. § 1654; *Knoeffler v. United Bank of Bismarck*, 20 F.3d 347, 348 (8<sup>th</sup> Cir. 1994); *Alpha Land Title Company v. Little*, 238 F.R.D. 497, 502 (E.D.Cal. 2006). The fact that the trustee is the only beneficiary changes nothing; a trust is not an individual and only individuals can appear without a lawyer in federal court. To rule otherwise would mean that a corporation could be represented by its sole shareholder, and that is not the law. *Lowerv v.*

1 Hoffman, 188 F.R.D. 651 (MD Ala. 1999).

2 Plaintiff's motion for reconsideration will accordingly be denied. He may submit an order to  
3 that effect if he desires it.

4 Dated: January 26, 2012

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Alan Jaroslovsky  
U.S. Bankruptcy Judge